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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,356	01/10/2002	Shih-An Cheng	INMEP0104US	2401
43076	7590	10/25/2005	EXAMINER	
MARK D. SARALINO (GENERAL) RENNER, OTTO, BOISSELLE & SKLAR, LLP 1621 EUCLID AVENUE, NINETEENTH FLOOR CLEVELAND, OH 44115-2191			CHANKONG, DOHM	
			ART UNIT	PAPER NUMBER
			2152	

DATE MAILED: 10/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/046,356

Applicant(s)

CHENG ET AL.

Examiner

Dohm Chankong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1> This action is in response to Applicant's remarks. Claims 21-34 are presented for further examination.

2> This is a Final rejection.

Response to Arguments

3> Applicant's arguments with respect to the rejection(s) of claim(s) 21-34 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn and the previous Final rejection is vacated. However, upon further consideration, a new ground(s) of rejection is made in view of new prior art.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4> Claims 21, 27, 28 and 30 are rejected under 35 U.S.C § 103(a) as being unpatentable over Voit et al, U.S Patent No. 6,157,648 ["Voit"], in view of Scott et al, U.S Patent No. 6,760,324 ["Scott"].

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5> As to claim 21, Voit discloses a voice-over-internet protocol (VoIP) system, comprising:

a routing server forming a part of a network that allows voice data to be exchanged over the network between a VoIP client and a termination PSTN gateway selected by the routing server from a plurality of termination PSTN gateways [Figure 12 | Figure 16 | column 22 «lines 1-12» | column 26 «lines 1-11» where : Voit's directory server corresponds to claimed routing server];

a gateway monitor configured to provide the routing server with workload status information for each of the plurality of termination PSTN gateways [column 24 «lines 45-52» | column 26 «lines 1-11»];

a routing cost policy server configured to provide the routing server with cost information [column 5 «lines 6-26» | column 23 «lines 29-41»];

wherein in response to a VoIP client request to connect to an analog phone, the routing server:

selects the selected termination PSTN gateway from the plurality of termination PSTN gateways based on the workload status information [column 26 «lines 1-11»]; and

provides the VoIP client with a network address of the selected termination PSTN gateway for the VoIP client to connect to the selected termination PSTN gateway to exchange voice data therewith [column 14 «lines 12-15, 23-27 & 40-46» | column 23 «lines 19-34» | column 26 «lines 1-11»].

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Voit does not disclose a routing plan data base configured to provide the routing server with an identification of the VoIP client and, if predetermined for the VoIP client, a specified routing plan for the VoIP client.

6> In the same field of invention, Scott is directed towards improvements of a VoIP system. In particular, Scott discloses a routing plan database configured to provide the routing server with an identification of the VoIP client and, if predetermined for the VoIP client, a specified routing plan for the VoIP client [column 74 «lines 1-14» | column 77 «lines 32-39» | column 60 «lines 2-14» | columns 98-105 : e.g. rule, route matching].

As Voit discloses routing selection [column 24 «lines 60-63»], it would have been obvious to one of ordinary skill in the art to incorporate Scott's routing plan database and associated functionality into Voit's communication system. One would have been motivated to provide such an implementation into Voit's system so as to enable predetermined routes to be established for endpoint addresses and prioritization of predetermined routes.

7> As to claim 27, Voit discloses the gateway monitor continuously monitoring each termination PSTN gateway for status information [column 24 «lines 45-52» | column 26 «lines 1-11»].

8> As to claim 28, Voit discloses the gateway monitor polls each termination PSTN gateway for status information [abstract | column 24 «lines 45-52» | column 26 «lines 1-11»].

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9> As to claim 29, Voit discloses the gateway monitor monitoring the termination PSTN gateways for one or more of a health status, a carrier termination cost, a quality of service of a termination PSTN gateway, a termination PSTN gateway malfunction indication, a status of a network supporting the termination PSTN gateway, or the availability of resources of the termination PSTN gateway [column 33 «lines 18-35»].

10> As to claim 30, as it does not teach or further define over the claimed limitations, it is similarly rejected for at least the reasons set forth for claim 1.

11> Claim 22 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit and Scott, in further in view of Scott et al. U.S Patent No. 6,480,898 [“Scott(2)”].

12> As to claim 22, Voit and Scott discloses the VOIP system according to claim 21, wherein the plurality of termination PSTN gateways are configured in a plurality of termination PSTN gateway groups [See Scott column 84 «lines 42-63»].

However, they are silent on each group having a quality of service designation and the quality of service designations are further used by the routing server to select the termination PSTN gateway based on a quality of service level associated with the VOIP client.

Scott(2) discloses a system for a predicting call quality prior to the establishment of any call in VOIP network [column 9 «lines 7-14»]. Scott(2) discloses a plurality of termination gateways configured in a plurality of gateway groups (i.e. carriers as disclosed in

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col. 4 ll. 46- 54, col. 7 ll. 10-17) which are designated based on Quality of Service (col. 7 ll.22-38; 47-48) and the designation is used by the routing server (fig. 1-#102, col. 5 lines 42-45) to determine and identify a termination PSTN gateway (col. 8 ll. 36-54, col. 9 ll. 7-14)).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Voit and Scott by implementing what is disclosed by Scott(2) in order to predict quality of a call prior to an actual establishment of any call by a VOIP client (col. 3 ll. 34-38, col. 9 ll. 7-14).

13> As to claim 31, as it does not teach or further define over the previously claimed limitations, it is similarly rejected for at least the same reasons set forth for claim 22.

14> Claims 23-26 and 32-34 are rejected under 35 U.S.C § 103(a) as being unpatentable over Voit and Scott, in further in view of Pearce et al, U.S Patent No. 6,704,406 ["Pearce"].

15> As to claim 23, Voit and Scott do not disclose the VoIP client categorized in a caller group with other VoIP clients.

16> In the same field of invention, Pearce is directed towards route generation for communications systems. Pearce discloses a VoIP client categorized in a caller group with other VoIP clients and the caller group is further used by the routing server to select the termination PSTN gateway [column 2 «lines 44-50» | column 3 «lines 17-46» : route plans specify possible routing options that are assigned to groups of users].

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It would have been obvious to one of ordinary skill in the art to incorporate Pearce's route generation and user group functionality into Voit and Scott's VoIP system so as to enable route planning for groups of users [column 5 «lines 16-25»]. One would have been motivated to provide such a combination as automatic route generation provides ability to more easily generate complex routing plans [column 1 «lines 46-54»].

17> As to claim 24, Voit and Scott do not disclose the caller group categorized by one or more location.

18> Pearce discloses a caller group categorized by one or more location [Figure 3 | column 3 «lines 17-46»]. It would have been obvious to organize caller groups by one or more location so as to simplify the route plan generation for the callers.

19> As to claim 25, Voit and Scott do not disclose the routing plan for the VoIP client is associated with each VoIP client in the caller.

20> Pearce discloses the routing plan for the VoIP client is associated with each VoIP client in the caller [column 3 «lines 17-31»]. It would have been obvious to one of ordinary skill in the art to modify Voit and Scott's VoIP system with Pearce's routing plan functionality. It would have been obvious to one of ordinary skill in the art to incorporate Pearce's route generation and user group functionality into Voit and Scott's VoIP system so as to enable route planning for groups of users [column 5 «lines 16-25»]. One would have

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been motivated to provide such a combination as automatic route generation provides ability to more easily generate complex routing plans [column 1 «lines 46-54»].

21> As to claim 26, Voit and Scott do not disclose the routing plan for the VoIP client is a default routing plan associated with the caller group.

22> Pearce discloses the routing plan for the VoIP client is a default routing plan associated with the caller group [column 2 «lines 51-64» | column 3 «lines 17-31»]. It would have been obvious to one of ordinary skill in the art to modify Voit and Scott's VoIP system with Pearce's default routing plan functionality to simplify the routing process for users and user groups for the administrators.

23> As to claims 32-34, as they do not teach or further define over the previously claimed limitations, they are similarly rejected for at least the same reasons set forth for claims 23, 25 and 26.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942. The examiner can normally be reached on Monday-Thursday [7:00 AM to 5:00 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DC



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PRIMARY EXAMINER